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October 23, 2014

Via ECF

Honorable Steven I. Locke
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Berlin v. Maxi-Aids, Inc.*
14-cv-3028 (SJF-SIL)
Our File No.: 169L-95833
169L-98101

Dear Judge Locke:

We represent Defendants, Richard Hause, Alisa J. Epstein and Samuelson, Hause & Samuelson, L.L.P. (collectively referred to as "SHS") and Ellen Maurer and Goldman & Maurer, LLP (collectively referred to as "G&M") in the above-referenced action.

We are writing to respond to plaintiffs' opposition to our request for an extension of time to respond to the First Amended Complaint in this action. It is of note that plaintiffs' initial correspondence dated October 22, 2014 described such a request as "a simple extension from this Court." Now plaintiffs' disingenuously object to such a request, despite this being a first request for an extension in this regard. Counsel is familiar with plaintiffs' antics and propensity to name opposing counsel in subsequent lawsuits, having litigated these same claims against Mr. Berlin and Ms. Zaretsky in 2012 and during an appeal to the Second Circuit Court of Appeals in 2013. Based upon this experience, the plaintiffs were not directly contacted regarding the request for an extension in this matter. However, SHS and G&M respectfully continue to request that the Court grant the requested extension of time to respond to the First Amended Complaint from the current deadline of October 24, 2014 to December 10, 2014. December 10, 2014 has also been requested by several co-defendants. The extension is necessary so that the plaintiffs' 139 page complaint may be sufficiently addressed in SHS and G&M's motions to dismiss. In addition, we continue to respectfully request that a briefing schedule be issued by the Court.

Thank you for your continued consideration of these matters and our response to plaintiffs' objection.

Respectfully submitted,

L'ABBATE, BALKAN, COLAVITA
& CONTINI, L.L.P.



Matthew R. Jaeger

Enclosure

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